App. F. IX-4]

Previous References.

1940 ~~8.41~~ (Rd)

File No. 113-~~130~~

Serial Nos. 42, 43, 44 ~~& 45~~

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Four only

P-17/E

Part B for July 1942.

SUBJECT.

Re Special Allowance to Mr. C. Narayanaswami Naidu ex-officio Election commissioner, during the period of his holding two independent appointments as the District Judge and the Election commissioner ie from 1-12 42.

To

C. Narayanaswami Naidu, Esq

WD 08999—GPB—500—11-9-41

No. R.L.8/R.A. 113.40.45 dated 7th July 1942.

Regrets that his request for a special allowance cannot be ~~granted~~ complied with.

R.S.C. Sekhar
13/7/42.

Allowance for Ex-officio Election Commissioner.

General and Revenue Secretariat
R. A. & L. C.

R.A File No. 113 of 1940-41 App. F. III-2

Serial No.

42. From

The Ex-officio Election Commissioner in Mysore

Bangalore.

No T. 415 of 1941-42 dated 20th February 1942.

Requests that a special allowance may be given to him during the period of his holding two independent appointments as the District Judge and Election Commissioner i.e. from 1-12-1942.

1) Kind reference is invited to Notification No. (X) RL 1081/R.A. 113-40-30 dated 4th December 1941, wherein Mr. C. Narayanaswami Naidu, Additional District and Sessions Judge, Bangalore has been continued as Ex officio Election commissioner, for a period of three months from 1st December 1941, for the trial of election petitions. Subsequently on his representation his term has been extended by a month more i.e till the end of March 1942 in Notification No. (X) RL 1518/R.A. 113-40-40 dated 14th February 1942. It is submitted that Mr. C. Narayanaswami Naidu, is holding two appointments as the District Judge and Election Commissioner (ex-officio) from 1st December 1941, as prior to this date he was working as Election Commissioner only. The collection leading to the issue of letter No. (X) RL 565 dated 15th September 41 Communicating the orders of Government to the Election commissioner negativing his claim for an allowance is also put up for kind perusal.

2) This representation may perhaps be forwarded

(X) Vide Flag J. — (Collection put up No 113-41-36 at 15 34)

(X) Vide Flag G. (Collection put up No 113-41-36 at 39, 40, 41)

(X) Vide Flag K. (Collection put up No 113-41)

NOTE—Contn. Sheet.

File No. 794/R of 194 .

General and Revenue Secretariat
R. A. & L. C.

Serial No.

to the confidential Branch, for necessary action.

Submitted for orders.

JSR 24/2/42 3) the question was dealt with in the protection Branch last time & the file may be forwarded to that Branch for taking necessary action.

BVN 24/2/42 for further action

4) BVR 25.2.42

Asst Secy (Law Section) 5) 25/2/42 rb

6) The question of granting any allowance to Mr Narayanaswami Naidu was not dealt with in the Courts Section.

7) It is however submitted that the order relating to the appointment of Mr Narayana Swamy Naidu as Additional Dist Judge, B. was issued from C. B. during first week of December 1941.

8) The present reference from the Officer for grant of allowance has perhaps to be dealt with in C.B.

CPM 3/3 9) We need not send the file to C. B. Mr Narayana Naidu is a District Judge & he cannot claim allowance for the work he does as Electricity Commissioner. Whether

General and Revenue Secretariat | File No. 794/M of 194 . | [App. F. III-2

Serial No.

FINANCE DEPT. 1896 1942 GOVT OF MYSORE

FINANCE DEPT. U.O. 5148... 5 GOVT OF MYSORE

the allowance can or cannot be given which may be decided, after consulting the Financial Secretary.

Law Secretary) 10) 3 4/3/42

Fin Secy M.C.) 11) Hm 2 5.3.42 3/5/3/42

12) The definite opinion or recommendation of the Advocate General as to whether any allowance is at all considered necessary or not, with reasons thereof should be recorded before sending the file to the Govt. for an expression of his opinion on the recommendation if any, of the Advocate General. AG 11.3.42

13) The allowance is either for, or the Chief Court, or any Court of the Election Commissioner; the R. A. & L.C. Department is in a better position to deal with this question, as Court Secretary is not aware of the work of the Chief Court & Election Commissioner. Employment of Secretary R. A. & L.C. to deal with the Courts. Yes. 13)

Law Secretary) 3

14) Are any election cases still pending? 3/3

Hm 2 11/4/42

Asst Secretary R.D. 4/42

16) 3 2/4/42

17) ROCR 2.4.42

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NOTE—Cont. Sheet

WD/C4155—GPB—55000—23-10-41

File No. 7496/42 of 194 . | General and Revenue Secretariat

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Subd

18) 5 Y Election petitions relating to the R.A. & ~~the~~ petitions under the L.C. rules, has been referred to the Election Comr., Sale three cases have been disposed of by him & reports Subd to four, without any pendency. The Apptt. of Mr. Narayanaswamy Naidu as Election Comr., has ceased since 1st. April, 1942. (Vide Noh No RL 1518 RA 113-40-40 dated 14th. Febry, 1942 Jg-Cr)

JBS
2-4-42

BSNS
2/4/42

BSKR
2.4.42

Law Secy)

SECY. LAW DEPT. 2265 4 APR. 1942 GOVT O. [illegible]

19) He had to attend to the duties of the Election Commr in addition to his normal duties of the Dist & Sessions Judge. As this arrangement involved some additional work, some suitable allowance may I think be sanctioned.

Devan)
this Fin Secy)

Hm
2
6/4/42
BSKR
6.4.42

U.O.No.Fi.S.917 6 APR. 1942

20) In the P.U.D., the allowance has been asked for from 1st February 1942 (as the date from which the officer is holding two appointments) while in the office notes the date seems to be assumed as 1st

P.T.O.

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5917
U.O

1st December 1941. The exact period for which the allowance is proposed is not clear.

2) The main point for consideration is the extent to which the officer had to discharge abnormally heavy duties on account of the combined charge. From the Election Commissioner's letter dated 19th November 1941 it is gathered that he expected to finish the work by the end of November 1941, and the extension of his term as "Election Commissioner" beyond that date was merely to satisfy formal requirements - for disposal of any cases that might be remanded by the High Court and furnishing records and references, etc. It does not appear as if he had any substantial amount of original work to do as Election Commissioner after 1st December 1941. Definite information may be obtained as to the nature and extent of work done by him as Election Commissioner during the period and the views of the High Court also obtained as to whether any special allowance is justified on this account.

Submitted

2) It is submitted that the Ex-officio Election Commissioner

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

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has requested for a special allowance for the period during which he was holding two independent appointments one as the District Judge and the other as Election commissioner. Kind reference is invited to (1) G.O.No Rl 1081/R.A 113-40-30 dated 4th December 1941 appointing Mr. C. Narayanaswami Naidu Additional District and Sessions Judge, Bangalore, as Ex officio Election Commissioner and to (2) G.O.No Rl 1518/R.A 113-40-40 dated 14th February 1942 extending his term as Election Commissioner by one more month from 1st March 1942. Therefore he was holding two independent appointments from 1-12-41 and not from 1-2-42 as mentioned in the P.U.D. which may perhaps be a clerical error. Hence the period for which the allowance is claimed is from 1-12-41 to 1-3-42 i.e. 4 months, the period of his holding two appointments.

(1) Vide Flag U (collection put up R.A 113-40-Sts 27 to 36)

(2) Vide Flag V (collection put up R.A 113-40-St 39 to 41)

3) Secondly, information regarding the nature and extent of work done by him as Election Commissioner during this period is required to consider the grant of a special allowance.

4) If approved, Mr. C. Narayanaswami Naidu may be requested in the first instance to furnish information regarding the number of Election cases that were remanded to him by the High Court and the number of cases decided by him besides any other Special work involving extra burden and responsibility as Ex officio Election Commissioner that he had to do during this period of four months (1-12-41 to 1-4-42).

Special allowance for Exofficio Election Commissioner.

General and Revenue Secretariat R. A. & L. C. | File No. 794/E of 194 | App. F. III-2

Serial No.

Submitted for orders with a draft ~~proposal~~ addressed to Mr C. Narayanaswami Naidu Principal District and Sessions Judge, Bangalore.

JSR 16/4/42
BSN 16/4

Sd/- 17.4.42 BKR

To

C. Narayanaswamy Naidu, Esq. B.A. B.L.
Principal District and Sessions Judge
Bangalore

Rl 2327/R. A 113-40-43 dated 20th April 1942 called for
Requests that certain particulars relating to his work as Exofficio Election Commissioner while holding two independent appointments may be furnished to this office.

Re Submitted.

2) Kind reference is invited to Para 22) Supra wherein it has been ordered that the Views of the High Court may also be obtained regarding the justification of this Special allowance. Submitted for orders whether the file may be forwarded unofficially to the High Court, pending a reply from Mr C. Narayanaswamy Naidu for the particulars called for in this office letter dated 20th April 42

JSR 23/4/42 3) The reply from the Election Commissioners may perhaps be awaited, and if necessary, the High Court may be Consulted afterwards

Sd/- 23-4-42 BKR 23-4-42

NOTE—Contn. Sheet.

Mr. T.S.R

8 Special Allowance for Election Commissioner.

File No. 1113/M of 194 .

General and Revenue Secretariat
R. A. & L. C.

Serial No.

From.

C. Narayanaswamy Naidu, Esq. B.A. B.L.
Principal District & Sessions Judge
Bangalore

No T 423 dated 25th April 1942.

Furnishes information in answer to this office query regarding the nature and Volume of work that he had to work after while holding the office of Ex-officio Election commissioner besides his normal work as District and Sessions Judge, Bangalore for four months from 1-12-41 to 1-4-42.

29) Submitted for kind perusal with reference to Paras 21 and 28 supra.

Ref. Para 21

30) P.U.D is for perusal.

It is for orders if it is necessary to consult the High Court in the matter

BSR 29/4/42 Form 28 Jan

BSR 29.4.42

Law Secy)

31) This is a special appointment by Govt. There may not be any necessity to consult the High Court specially so, in the light of the information furnished by the Election Commissioner. For consideration whether any allowance may be granted in the circumstances mentioned by the Election Commr.

Dewan)
thro' Fin Secy)

Hm 2/5/42

BSR 1.5.42

SECY. LAW DEPT. 5655 29 APR 1942 GOVT OF MYSORE

SPECIAL SECTION U.D. No. Fi. 6522 2 MAY 1942

General and Revenue Secretariat
R. A. & L. C.

File No. D.143)RL of 194 .

App. F. III-2

Serial No.

6522

71

Mr J.S.R

32) In the light of the reply received from the Election Commissioner, that no cases were tried during the period of 4 months, I do not think there is any strong case for the grant of a special allowance.

JDJ 6/7/42
WJ 1.7.42
BXR 2.7.42

33) I agree with the Financial Secy

MG 5/7/42
WJ 6.7.
BXR 6.7.42

Submitted with a draft reply (incorporating the orders in Para 33 supra) for approval addressed to Hy C. Narayanaswamy Naidu.

JSR 7/7/42
BXR 7/7
for approval
BXR 7.7.42

Law Secy.)
WJ 7.7.42
Issue
BXR 7.7.42

C. Narayanaswamy Naidu Esqr. B.A, B.L
Secretary to Government, Law Department (on leave)
Bangalore

No R&S/RA 113-40-45 dated 7th July 1942 - States Text

NOTE—Contn. Sheet.

10

Special Allowance for Election Commissioners.

File No. 1118/42 of 194 .

General and Revenue Secretariat
R. A. & L. C.

Serial No.

Government regret their inability to sanction his request regarding the grant of a Special allowance for the period during which he had worked as a District Judge and Ex-officio Election Commissioner.

OFFICE OF THE SECRETARY
10 JULY 1942
REPRESENTATIVE ASSEMBLY
LEGISLATIVE COUNCIL
JSR
10/7/42

No.T.415/1941-42.

794/M

Bangalore, Dated 20th February 1942.

R.A.113-40-42

From

C. Narayanaswamy Naidu, Esq., B.A., B.L.,
Ex-Officio Election Commissioner in Mysore,
Bangalore.

To

The Secretary to the Government of Mysore,
Law Department, Public Offices,
Bangalore.

Sir,

I have the honour to request that special allowance may kindly be given to me during the period of my holding two independent appointments as the District Judge and Election Commissioner i.e. from 1-2-1942.

Under Article 92(ii) of the Mysore Service Regulations, the Government may allow half the pay of the Election Commissioner, Rs.400/- a month, if it is pleased to dispense with the proviso under the Rule to the Article.

My request for an allowance during the period of my appointment as the Election Commissioner was not granted though I had to make special study and work.

Any how in consideration of the additional work done by me, as Ex-Officio Election Commissioner, I request that the Government may be pleased to comply with my request.

Even if the Rule to Article 92- M.S.R. is considered not applicable, I may kindly be granted a suitable allowance much in the same way as special pay is given in British India or a fixed tenure pay is given for special work.

I have the honour to be,
Sir,
Your most obedient servant,

C. Narayanaswamy Naidu

Ex-Officio Election Commissioner.

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

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Section R. A.

File No. 113. 40.

Serial No. 43.

No. R. L. 2327.

Diary No. of letter replied to .....

To

C. Narayana Swamy Naidu Esq B.A B.L

Principal District and Sessions Judge.

Bangalore.

General and Revenue Secretariat
R. A. & L. C.

( )

Date of issue 20:4:42.

Signed by Mr. B. K. R.

Sir,

With reference to your letter No T 415/1941-42 dated 20th February 1942 requesting for the grant of a Special allowance for the period of your holding two independent appointments as the District Judge, Bangalore and Sessions and Ex officio Election Commissioner, I am directed to request you to kindly intimate the undermentioned particulars relating to your work as Election Commissioner :-

List of enclosures .....

Copied by .....

Examined by .....

1) No of Election Disputes that were remanded from the High Court from 1st Dec 41 to 1st April 42.

2) No of Election disputes heard and decided by you

during the same period.

3) other special work involving heavy burden or responsibility attended to by you during the above period relating to Election Disputes.

I have etc.

BAR

Secretary to Government;
Law Department.

BSR
16/4/42
BSR
16/4

14

20th April 1942.

R.L. 2327/ R.A. 113-40-43.

H.V. Narayana Rao, Esq., B.A., LL.B.,
xxx

Bangalore.

C. Narayanaswamy Naidu, Esq., B.A., B.L.,
Principal District and Sessions Judge,
Bangalore.

Sir,

With reference to your letter No. T. 415/1941-42 dated 20th February 1942 requesting for the grant of a special allowance for the period of your holding two independent appointments as the District and Sessions Judge, Bangalore, and ex officio Election Commissioner, I am directed to request you kindly to intimate the undermentioned particulars relating to your work as Election Commissioner:-

1. No. of Election Disputes that were remanded from the High Court from 1st December 1941 to 1st April 1942;

2. No. of Election Disputes heard and decided by you during the same period;

3. Other special work involving heavy burden or responsibility attended to by you during the above period relating to Election Disputes.

I have the honour to be,
Sir,
Your most obedient servant,

BKR

for Secretary to Government,
Law Department.

7.D)

BSR

1113/42

Bangalore.
25th April 1942.

15

R.A.113.40.44.

From

C.Narayana Swamy Naidu Esq., B.A., B.L.,
Principal District and Sessions Judge,
Bangalore.

To

H.V.Narayana Rao Esq., B.A., LL.B.,
Secretary to the Government of His Highness the
Maharaja of Mysore, Law Department,
Bangalore.

Sir,

With reference to your letter No.R.L.2327/R.A.113.40-43 dated 20th April 1942 I have the honour to inform you that though no cases were tried during the period of four months from 1-12-41 to 1-4-42, since I had managed to dispose of all the cases by 1-12-41, I had to devote about two hours a day to attend to office work.

A number of appeals were pending in the High Court. I had to send for ballot boxes, arrange records and send them to the High Court and after they were returned, check them and send them to your office.

A lot of correspondence had to be attended to. About hundred letters were received and I had to refer to records and registers and send about hundred replies.

I had to attend to the receiving of applications for copies and arrange for granting them to parties.

I had to get entries made in the concerned registers.

The office continued to be in the New Public Office. I had to go there now and then in my car and supervise the work of the Clerk and the Typist.

All this responsible work involved hevy burden and with much difficulty I had to manage to find two hours time everyday to attend to it and as there was heavy work in the District Court I had to overwork.

Therefore I request that substantial special allowance may kindly be granted.

I have the honour to be,
sir,
Your most obedient servant,

C. Narayanaswamy Naidu
District Judge

Appendix F G—1]
R. A. & L. C.

•SUBJECT.....

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Section R. A.
File No. 113. 40.
Serial No. 45.

No. R. L. 8

Diary No. of letter replied to .....

To
C. Narayanaswamy Naidu, Esq. B. A. B. L.
Secretary to Government, Law Department
(on leave)
Bangalore

General and Revenue Secretariat
R. A. & L. C.
( )

Date of issue 7.7.42

Signed by M. B. K. R.

Sir,

With reference to the correspondence ending with your letter No. T423 dated 25th April 1942 requesting for the grant of a special allowance for the period during which you were holding two appointments, one as District Judge and the other as Ex-officio Election Commissioner, I am directed to state that Government regret their inability to comply with your request.

I have etc.

List of enclosures .....

Copied by .....

Examined by .....

BNR 7.7.42

Secretary to Government.
Law Department.

JSR 7/7

BVN 7/7.

7th July 1942.

No. R.L. 8 / R.A. 113-40-45.

C. Narayanaswamy Naidu, Esq., B.A, B.L.,
Secretary to Government, Law Department (on leave),
BANGALORE.

Sir,

With reference to the correspondence ending with your letter No. T. 423 dated 25th April 1942, requesting for the grant of a special allowance for the period during which you were holding two appointments, one as District Judge and the other as Ex-officio Election Commissioner, I am directed to state that Government regret their inability to comply with your request.

I have the honour to be,
Sir,
Your most obedient servant,

BKR

for Secretary to Government,
Law Department.